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**From:** Dwyer, Stacey [Dwyer.Stacey@epa.gov]  
**Sent:** 5/13/2019 7:42:06 PM  
**To:** King, Laurie [king.laurie@epa.gov]; Fruitwala, Kishor [Fruitwala.Kishor@epa.gov]  
**CC:** Smith, Melissa [Smith.Melissa@epa.gov]; Crossland, Ronnie [Crossland.Ronnie@epa.gov]  
**Subject:** FW: Updated Monarch fact sheet  
**Attachments:** Monarch MWT Briefing Sheet 5-13-2019.docx; ATT00001.htm

Here is the information that was reported out during Senior Staff. Please let us know if this issue impacts the RCRA program.

Stacey

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**From:** Thompson, Steve  
**Sent:** Monday, May 13, 2019 12:47 PM  
**To:** Dwyer, Stacey <Dwyer.Stacey@epa.gov>; Chancellor, Erin <chancellor.erin@epa.gov>; Chiang, I-Jung <chiang.i-jung@epa.gov>  
**Cc:** Overbay, Connie <Overbay.Connie@epa.gov>; Seager, Cheryl <Seager.Cheryl@epa.gov>  
**Subject:** Updated Monarch fact sheet

Attached is the latest fact sheet on Monarch.

**REGION 6 EXECUTIVE SUMMARY**  
**Compliance Assurance and Enforcement Division**

**TOPIC:** Monarch Waste Technologies – Hospital/Medical/Infectious Waste Incinerator

**DATE:** May 13, 2019

**CONTACT:** Steve Thompson, 6EN-A

**PURPOSE/ACTION NEEDED:** Update – Performance Testing under Administrative Order

**ACTION DATE:** NA

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**BACKGROUND:**

Monarch Waste Technologies, LLC (Monarch) has constructed a commercial facility on the Nambe Pueblo near Santa Fe, New Mexico, to destroy hospital, medical, and infectious wastes. In its October 2016 request to EPA Region 6 for an applicability determination, Monarch asserted that its Pyromed 550 System met the pyrolysis exclusion in the New Source Performance Standard (NSPS) for Hospital/Medical/Infectious Waste Incinerators (HMIWI) (Subpart Ec). Monarch believed that if it met the exclusion, the facility would not be regulated by any NSPS and would not be required to obtain a Title V operating permit.

In June 2017, Region 6 told Monarch that EPA was prepared to issue a formal applicability determination (final agency action) concluding that NSPS Subpart Ec is applicable to the facility. Monarch subsequently withdrew its request and indicated to Region 6 that it planned to comply with NSPS Subpart Ec. On October 31, 2017, Region 6 conditionally approved Monarch's petition for site-specific operating parameters for the air pollution control equipment to be used at the facility, requiring submittal of a comprehensive Initial Performance Test plan and updated Waste Management Plan prior to testing. Monarch commenced commercial operations on November 20, 2017. However, Monarch immediately experienced an equipment failure, shut down the facility for repairs, and did not begin operating again for several months.

On December 7, 2017, Region 6 Air Permits requested that Monarch provide a Title V operating permit application by June 1, 2018 (40 C.F.R. § 71.5). Region 6 Air Permits subsequently extended the application submittal due date to September 1, 2018, based on a request from Monarch for additional time. Region 6 Air Permits notified Monarch on November 19, 2018, that, because the company did not submit a complete operating permit application as required within twelve months of commencing operation, Monarch no longer had authority to operate.

Monarch has been unable to submit a complete Title V permit application because required elements of a complete permit application, i.e. completion of initial performance testing and reporting of the test results, have still not been done. After months of working with the company on an acceptable test plan, Monarch submitted a revised test plan on November 15, 2018, which Region 6 approved on November 19, 2018.

**CURRENT STATUS:**

Region 6 and Monarch signed an Administrative Compliance Order on Consent on December 4, 2018, that authorized the company to operate for the limited purpose of preparing for and conducting an

initial performance test. After Monarch was unable to stabilize incinerator operations and conduct a representative test in mid-December, Region 6 and Monarch modified the Order on December 21, 2018, to extend the deadline for completing the test to March 6, 2019. Monarch completed the testing on February 22, 2019, but preliminary results indicated the dioxins/furans emissions exceeded the compliance limit. As a result, Region 6 and Monarch signed a second modification to the Order on April 2, 2019, to allow the company to conduct a retest to demonstrate initial compliance with the dioxins/furans emission limitation. The retest must be completed by May 17, 2019.

Monarch is also seeking an agency response on its updated applicability determination request regarding the Pyromed 550 System, which it sent to the Office of Enforcement and Compliance Assurance on December 9, 2018. The request states that Monarch believes the system should be exempt from NSPS Subpart Ec. Region 6 and OECA are reviewing the documents provided and preparing a response.

**COMMUNITY CONCERNS:**

There is significant interest from the Nambe Pueblo and the New Mexico Environment Department in ensuring that the facility operates effectively and safely given Monarch's plans to destroy infectious materials. Other Pueblo governments near the facility have expressed concern about operations and inquired about the status of the Title V Permit.

**RECOMMENDATIONS:**

None at this time.